

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

VELOCITY EXPRESS CORPORATION,
a Delaware corporation,

Civil File No. 03-CV-2456 JRT/FLN

Plaintiff,

vs.

NEXTEL OF TEXAS, INC.,
a Texas corporation,

**ORDER FOR DISMISSAL
WITH PREJUDICE**

Defendant.

Perry M. Wilson and Angela M. Hall, **DORSEY & WHITNEY, LLP**, 50 South Sixth Street, Suite 1500, Minneapolis, MN 55402, for plaintiff.

Edward F. Fox, Alan I. Silver, Ann Claire Phillips, and Susan E. Gustad, **BASSFORD REMELE, P.A.**, 33 South Sixth Street, Suite 3800, Minneapolis, MN 55402, for defendant.

Now therefore, based on the Stipulation of the parties (Docket No. 180),

IT IS HEREBY ORDERED that the above-captioned action is hereby DISMISSED with Prejudice on the merits and without costs to either party. The Court shall retain continuing jurisdiction over this matter to the extent necessary to enforce the settlement and/or the related Confession of Judgment.

BY THE COURT:

DATED: August 4, 2006
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge